

## NEW APPLICATION TRANSMITTAL

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Va 22313-1450, on December 2, 2003, under "EXPRESS MAIL" mailing label number EV 288034850 US.

Susanne C. Aregano  
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22390 U.S. PTO  
10/726172  
120203

Transmitted herewith for filing is the patent application of:

Inventor 1: Roger H. Hamilton  
Address: 114 Atkinson Avenue, Syracuse, NY 13207

Inventor 1: Peter J. Jordan  
Address: 101 Atkinson Avenue, Syracuse, NY 13207

For: OXYGEN BOTTLE CARRIER APPLIANCE

**1. Type of Application**

This is a request for filing a CONTINUATION-IN-PART APPLICATION under 37 C.F.R. §1.53(b), of pending prior application:

Serial No.: 10/037,207, Prior Art Unit: 3637  
Filed: January 7, 2002, Prior Examiner: Winnie S. Yip  
Title: APPARATUS FOR CONTAINING AND CENTERING OXYGEN BOTTLE ON A WALKER  
Inventors: Roger H. Hamilton

**2. Papers Enclosed****A. Required for filing date under 37 CFR 1.53(b) (Regular) are:**

10 Page(s) of Specification  
2 Page(s) of Claims  
1 Page(s) of Abstract  
3 Sheets of Drawings (Figs. 1-7)

**3. Additional Papers to Follow Under Separate Cover**

☒ A combined Declaration and Power of Attorney  
☒ Information Disclosure Statement  
☒ Form PTO-1449

4. ☒ Amend the specification by inserting after the title and before the first line the sentence:

**--Cross Reference to Related Application**

This application is a continuation in part application of U.S. Patent Application No. 10/037,207, filed January 7, 2002, the entire contents of which are herein incorporated by reference.--

5. Relate Back

A. 35 U.S.C. 119(e)

☐ Priority of provisional application Serial No. , filed , is hereby claimed under 35 U.S.C. §119(e).

B. 35 U.S.C. 120, 121 and 365(c)

☒ Priority of said prior application 10/037,207, filed January 7, 2002, is hereby claimed under 35 U.S.C. §120.

C. 35 U.S.C. 119 Priority Claim for Prior Application

☐ Priority of foreign application(s) is hereby claimed under 35 U.S.C. §119 as follows:

Application filed

☐ A certified copy of the above corresponding foreign application was filed in prior application Serial No. on .

☐ A certified copy of the above corresponding foreign application is filed herewith.

6. Small Entity Status

☒ Applicant claims small entity status. (See 37 CFR 1.27)

7. The filing fee has been calculated as shown below:

A. Filing Fee

☒ Original Patent Application \$ 385.00  
(37 C.F.R. 1.16(a) --\$770.00; Small Entity--\$385.00)

B. Fees for Claims (13 Claims; 2 Indep.)

☐ each independent claim in excess of 3 \$ .00  
(37 C.F.R. 1.16(b) --\$84.00; small entity--\$42.00)

☐ each claim in excess of 20 \$ .00  
(37 C.F.R. 1.16(c) --\$18.00; small entity--\$9.00)

☐ multiple dependent claim(s) \$ .00  
(37 C.F.R. 1.16(d) --\$280.00; small entity--\$140.00)

C. Surcharge fees

☐ late payment of filing fee \$ .00  
(37 C.F.R. 1.16(e) --\$130.00; small entity--\$65.00)

and/or

☐ late filing of original declaration or oath \$ .00  
(37 C.F.R. 1.16(e) --\$130.00; small entity--\$65.00)

NOTE: If both the filing fee and declaration or oath were missing from the original papers, only one surcharge fee for both need be paid. 37 C.F.R. 1.16(e).

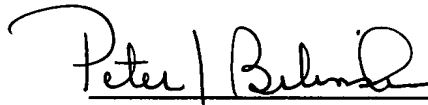
- D. ☐ Petition and fee for filing by other than all the inventors or a person not the inventor (37 C.F.R. 1.17(i) and 1.47--\$130.00) \$\_\_\_\_\_.00
- E. ☐ Fee for processing an application filed with a specification in a non-English language (37 C.F.R. 1.17(k) and 1.52(d)--\$130.00) \$\_\_\_\_\_.00
- F. ☐ Assignment Fee \$\_\_\_\_\_.00
- Total Fees Due \$ 385.00**

**8. Payment of Fees and Authorization to Charge Additional Fees or Credit Overpayment**

- ☒ A check in the amount of \$385.00 is enclosed.
- ☐ Charge Deposit Account 50-0289 in the amount of .
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289. .
- ☒ Any additional filing fees required under 37 CFR 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP



Peter J. Bilinski  
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December 2, 2003  
Date

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